

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES LYNCH ET AL.,

Plaintiffs,

17-cv-7577 (JGK)

- against -

ORDER

THE CITY OF NEW YORK,

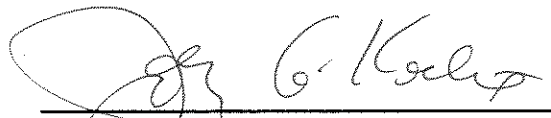
Defendant.

JOHN G. KOELTL, District Judge:

On November 16, 2021, a suggestion of death was filed as to plaintiff James Lynch. ECF No. 128. The suggestion of death was served on all of the parties by December 15, 2021. ECF No. 131. Under Federal Rule of Civil Procedure 25(a)(1), if a party dies and no motion for substitution is "made within 90 days after service of a statement noting the death, the action by or against the decedent must be dismissed." Because more than 90 days have elapsed since the suggestion of death was served on all of the parties and no motion for substitution has been filed, the claims of James Lynch are dismissed.

SO ORDERED.

Dated: New York, New York
June 17, 2022



John G. Koeltl
United States District Judge